

REMARKS

Claims 3-5, 7 and 9-11 all the claims pending in the application, stand rejected. The Examiner has added a new rejection for independent claim 9, which Applicant amended in the 1.111 Amendment filed on August 24, 2007, based on the lack of support in the original disclosure. Applicant's reply is presented subsequently, and Applicant's previous comments are respectfully referenced for this final office action.

Claim Rejections - 35 U.S.C. § 112

Claims 3-5, 7 and 9-11 are rejected under 35 U.S.C. 112, first paragraph, adding new matter. This rejection is traversed for at least the following reasons.

The Examiner asserts that the limitation added in the prior amendment, namely that the baffles are "for forcing the air from the air inlet once around the ultraviolet band C radiation tube" is not supported in the original disclosure. Applicants submit that, under applicable principles of U.S. Patent Law, which relies upon the understanding of one skilled in the art both to evaluate the content of prior art and to evaluate the teachings of an Applicant's invention, the claim limitation clearly is supported.

First, the illustration in Fig. 3 shows dotted lines with arrows teaching a flow of air from left to right in the Figure from the air inlet through the dust partition and filter, then left to right around the air collector wall 26 and barrier 28, then around the UV lamp and the extractor fan 10 structure, and finally left to right through the air outlet.

Second, the text at page 5, consistent with the illustration in Fig. 3, states that the air is drawn through the inlet to enter the body and "the moving air will easily enter and pass through the inlet grid bracket...to arrive [at] the outlet bracket thereof." At page 7, the application teaches that the extractor fan extracts the air and makes it move "into exhaust frame grid 2 after passing through the air collecting walls 25." The radiation tube is formed in the center of the air collecting wall 25 such that the air with a virus or the like passes "into the air collecting walls 25 and 26 and then moves into the air intake 27 placed between the electrode end ultraviolet radiation tube 21 and the air collecting wall 26." The cleaned air is then exhausted to the

negative high voltage cabide fibre line 12 at the exhaust frame grid 2. Clearly there is no teaching, suggestion or even capability to have other than a single direction of flow.

Third, there is no teaching or suggestion to the contrary, in direct contrast to the prior art that expressly teaches a double flow.

Claim Rejections - 35 U.S.C. § 103

Claims 9-11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen (GB 2301179 A) in view of Taylor (U.S. Patent No. 6,911,186 B2) and Palestro (U.S. Patent No. 6,264,888 B1). This rejection is traversed for at least the following reasons.

The Examiner repeats the text of the rejection from the previous Office Action, but adds at page 5 of the present Office Action that Palestro further discloses that at least [a] portion of the air from the inlet is forced around the ultraviolet radiation tube once as indicated by arrows in figure 2 showing the flow path through the apparatus as well as the disclosure that the air circulates around the ultraviolet bulbs twice (see figure 2; see col. 8, lines 38-65; see col. 9 lines 19-43)."

The disclosure cited by the Examiner is clear and unambiguous. Two passes are required. The text at col. 9 states that this is "an important aspect of the invention." There is no teaching that one pass is sufficient. Moreover, the structure illustrated in the figure necessarily requires two passes. One pass is impossible, based on the teachings of the reference and the understanding of one skilled in the art.

Given the clear deficiency of the reference in teaching away from the subject matter properly claimed by the Applicant, this rejection is overcome for the reasons given in the previous amendment. Applicant will not repeat them here, but will refer to them as incorporated by reference, as they remain fully applicable. That is, Palestro, alone or in combination with Yuen fails to teach or suggest all of the elements of claim 9. Specifically, the references fail to teach claim 9 features of:

- (1) "an air collector [that] is comprised of a space which is defined by air collector walls **extending from respective side portions of said body** and a blocking wall wherein said **blocking wall is spaced apart and upstream from said air collector walls** and having an air inlet defined by said air collector walls and said blocking wall"; and

- (2) “air collector [that] is comprised of a space which is defined by air collector walls **extending from respective side portions of said body** and a blocking wall wherein said **blocking wall is spaced apart and upstream from said air collector walls** and having an air inlet defined by said air collector walls and said blocking wall”.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen (GB 2301179 A) in view of Taylor (U.S. Patent No. 6,911,186 B2) and Palestro (U.S. Patent No. 6,264,888 B1), as applied to claim 9, and further in view of Cartellone (5,837,020) and Bullard (2,085,249). This rejection is traversed for at least the following reasons.

Bullard is cited for its teaching of a shoulder strap and Cartellone is cited for its teaching of a handle. Applicant relies on the patentability of parent claim 9 for patentability.

Claims 3, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen (GB 2301179 A) in view of Taylor (U.S. Patent No. 6,911,186 B2) and Palestro (U.S. Patent No. 6,264,888 B1), as applied to claim 9, and further in view of Sham (6,464,760). This rejection is traversed for at least the following reasons.

Sham is cited for its teaching of a battery driven air purifier using UV radiation. Applicant relies on the patentability of parent claim 9 for patentability.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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